



U.S. Department of Justice


United States Marshals Service

Prisoner Operations Division

Washington, D.C. 20530-0001

November 16, 2016

MEMORANDUM TO: Intergovernmental Agreement (IGA) Service Providers

FROM: James Murphy 
Acting Assistant Director

SUBJECT: Statement of Work Modification- Addition of Restrictive Housing
Notification Requirements

The purpose of this memorandum is to add the attached modification to your current IGA with the United States Marshal Service (USMS). In January 2016, the Department of Justice (DOJ) published its "Report and Recommendations Concerning the Use of Restrictive Housing" (the Report), setting out Guiding Principles regarding the use of restrictive housing at the federal, state, and local level, as well as specific recommendations for policies that the USMS to put into place with our IGA partners.

On March 1, 2016, the President issued a memorandum entitled, "Limiting the Use of Restrictive Housing by the Federal Government", directing that "DOJ shall promptly undertake to revise its regulations and policies, consistent with the direction of the Attorney General, to implement the policy recommendations in the DOJ Report concerning the use of restrictive housing. DOJ shall provide me with an update on the status of these efforts not later than 180 days after the date of this memorandum."

In response the USMS is required to have IGA facilities report basic information about the placement of federal detainees in restrictive housing, similar to the reporting requirements that the IGA imposes upon the occurrence of significant incidents. These reporting requirements will allow USMS, in its discretion, to determine the proper placement of our prisoners.

REQUIREMENT

All state, local, tribal and territorial service providers that have an IGA shall:

- Report basic information about the placement of federal detainees in restrictive housing, similar to the reporting requirements that the USMS imposes upon the occurrence of

**U. S. Department of Justice
United States Marshals Service**

Modification of Intergovernmental Agreement

1. Agreement No. 85-02-0095	2. Effective Date October 1, 2016	3. Facility Code(s) 8MU	4. Restrictive Housing Modification	5. DUNS No. N/A
6. Issuing Federal Agency United States Marshals Service Prisoner Operations Division Office of Detention Services CG-3, 3 rd Floor Washington, DC 20530-0001		7. Local Government Sunnyside Law & Jus Ctr 818 East Edison Avenue Sunnyside, Washington 98944		
8. EXCEPT AS PROVIDED SPECIFICALLY HEREIN, ALL TERMS AND CONDITIONS OF THE IGA DOCUMENT REFERRED IN BLOCK 1, REMAIN UNCHANGED. TERMS OF THIS MODIFICATION: THE PURPOSE OF THIS MODIFICATION IS TO ADD RESTRICTIVE HOUSING INSTRUCTIONS TO THE STATEMENT OF WORK (SOW). State, local, tribal and territorial service providers that have Intergovernmental Agreements (IGAs) shall: <ul style="list-style-type: none">Report basic information about the placement of federal detainees in restrictive housing, similar to the reporting requirements that the USMS imposes upon the occurrence of significant incidents. To be in compliance with our request detention facilities shall: <ul style="list-style-type: none">Immediately notify the Chief Deputy U.S. Marshal, or his or her designee, when a member of a vulnerable population is placed in restrictive housing or their restrictive housing status changes.Provide reports to the USMS on a monthly basis listing all USMS detainees who were detained in restrictive housing, and the reasons for their assignment to restrictive housing. The report shall be submitted via Detention Services Network (DSNET) to the Chief Deputy U.S. Marshal, or his or her designee, no later than the tenth day of each month in a standard format established by the USMS.Have a comprehensive suicide-prevention program in place incorporating all aspects of identification, assessment, evaluation, treatment, preventive intervention, and annual training of all medical, mental health, and correctional staff. For the purposes of this Agreement, "restrictive housing" is defined as any type of detention that involves all of the following three basic elements:				
9. INSTRUCTIONS TO LOCAL GOVERNMENT FOR EXECUTION OF THIS MODIFICATION:				
A. <input checked="" type="checkbox"/> LOCAL GOVERNMENT IS NOT REQUIRED TO SIGN THIS DOCUMENT		B. <input type="checkbox"/> LOCAL GOVERNMENT IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN ALL COPIES TO U. S. MARSHAL		
10. APPROVALS				
A. LOCAL GOVERNMENT _____ Signature _____ TITLE		B. FEDERAL GOVERNMENT  _____ Signature _____ Grants Specialist TITLE		
_____ DATE		_____ 11-17-2016 DATE		

Agreement Number: 85-02-0095

Page 2 of 2

Removal from the general population, whether voluntary or involuntary;

- Placement in a locked room or cell, whether alone or with another detainee; and
- Inability to leave the room or cell for the vast majority of the day, typically 22 hours or more.

For the purposes of this Agreement, "vulnerable population" means juveniles and individuals with serious mental illness.

The USMS Prisoner Operations Division has developed a web-based automated process for use by state, local, tribal, territorial and private detention service providers to report basic information regarding the use of restrictive housing for USMS prisoners. This information includes monthly use and duration of restrictive housing, and immediate notification whenever a member of a vulnerable population is housed restrictively. Information about restrictive housing, user account requests and a restrictive housing handbook (with screenshots and workflow descriptions) will be located on the eIGA homepage which can be found at: <https://ows.usdoj.gov/IGA/>. For technical assistance on the Detention Services Network (DSNet) eIGA system, please call the DSNet service desk at 877.633.8457 or email at DSNetservicedesk@leo.gov.

NO OTHER TERMS OR CONDITIONS OF THIS AGREEMENT ARE AFFECTED.